

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

MASSACHUSETTS DEVELOPMENT
FINANCE AGENCY
Plaintiff

2005 JAN 21 P 2:48

v.

U.S. DISTRICT COURT
DISTRICT OF MASS.

ADP MARSHALL, INC., a FLUOR DANIEL
COMPANY and FIREMAN'S FUND
INSURANCE COMPANY
Defendants

C.A. NO. 04-CV-10203 PBS

v.

ALLIED CONSULTING ENGINEERING
SERVICES, INC., ANDOVER CONTROLS
CORPORATION, R&R WINDOW
CONTRACTORS, INC., and DELTA
KEYSPAN, INC. n/k/a DELTA
KEYSPAN, LLC, MADDISON
ASSOCIATES, INC., UNITED STATES
FIDELITY AND GUARANTY COMPANY
FIDELITY AND DEPOSIT OF MARYLAND
NATIONAL GRANGE MUTUAL
INSURANCE COMPANY, TRAVELERS
CASUALTY AND SURETY COMPANY OF
AMERICA, AMERICAN HOME
ASSURANCE COMPANY, HARTFORD
ROOFING COMPANY, INC. and
SPAGNOLO/GISNESS & ASSOCIATES,
INC.

Third-Party Defendants

THIRD-PARTY DEFENDANT TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA'S OPPOSITION TO MOTION FOR SUMMARY
JUDGMENT OF DEFENDANT/THIRD-PARTY PLAINTIFF ADP MARSHALL,
INC.

Third-party defendant Travelers Casualty and Surety Company of America
("Travelers"), herein opposes the Motion for Summary Judgment filed by

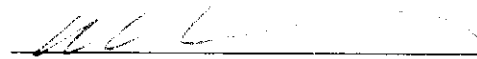
Defendant/Third-Party Plaintiff, ADP Marshall, Inc. (hereinafter "Marshall"). As grounds therefore, Travelers joins in the Third-Party Defendant Delta Keyspan, Inc.'s Opposition to Marshall's Motion for Summary Judgment and incorporates said Opposition, the Affidavit of Raymond Keough, and Delta's Keyspan, Inc.'s Motion to Strike Certain Portions of and Exhibits to the Affidavit of Tom Hughes as though set forth in full herein.

Wherefore, the Motion for Summary Judgment of Defendant/Third-Party Plaintiff, ADP Marshall, Inc. should be DENIED.

Respectfully submitted,

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA

By Its Attorneys,



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CERTIFICATION

I hereby certify that I have mailed a copy of the within first class mail, postage prepaid on 2/5/05 day of January, 2005 to the following:

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